



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Leland Shapiro

Application No.: 09/518,076

Group Art Unit: 1648

Filed: March 3, 2000

Examiner: Myron G. Hill

For: INHIBITORS OF SERINE PROTEASE
ACTIVITY, METHODS AND
COMPOSITIONS FOR TREATMENT OF
HERPES VIRUSES

Attorney Docket No. 320185.00109

#23
Election
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RESPONSE TO ELECTION OF SPECIES REQUIREMENT UNDER 35 U.S.C. § 121

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated November 4, 2002 (Paper No. 22) and in accordance with the Rules of Practice, please enter the following amendments and consider the remarks below. Submitted herewith as Exhibit A is a copy of the pending claims. Submitted herewith as Exhibit B is a Petition For Extension Of Time Under 37 C.F.R. § 1.136(a). Also submitted herewith is a copy of the Preliminary Amendment "B" (Paper No. 11) filed on March 3, 2000 (Exhibit C).

ELECTION

In the Office Action dated November 4, 2002 (Paper No. 22), the Examiner required Applicants to elect between the various species listed in Claim 15. In accordance with 35 U.S.C. § 121, Applicants hereby elect, with traverse, the species "Benzyloxycarbonyl-L-valyl-N-[1-(2-[5-(3-methylbenzyl)-1,3,4-oxadiazolyl]carbonyl)-2-(S)-methylpropyl]-L-prolinamide", identified in bold in Claim 15 of Exhibit A for the convenience of the Examiner, without disclaimer of or prejudice to pursuing the non-elected subject matter in this or other applications, for prosecution on the merits, and to which the claims shall be restricted if no generic claim is finally held to be allowable. Applicants acknowledge that, upon